

REMARKS

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested. Claims 1-27 are in this case. Claims 1-3 and 5 - 20 have been rejected. Claims 21-27 are withdrawn from consideration. Claim 4 has been objected to.

Independent claim 1 has now been amended to include the limitations of now cancelled objected claim 4 and now cancelled intervening claim 3. Independent claims 12 and 16 have now been amended to include the limitations of now cancelled claims 14 and 17, respectively. The cross-references of dependent claims 5, 15 and 18 have been amended to reflect the above amendments to independent claims 1, 12 and 16 respectively. Claims 3 and 21-27 have now been canceled.

The Applicant believes that the claims before the Examiner now correspond substantially to allowable subject matter, as will be detailed below.

§ 102(b) Rejection

The Examiner has rejected claim 1 under § 102(b) as being unpatentable over Itoh (US 4,825,116). The Examiner's rejection is respectfully traversed.

While continuing to traverse the Examiner's rejection, and without in any way prejudicing the patentability of the rejected claim, the Applicant has, in order to expedite the prosecution, chosen to amend independent claims 1 to include the limitations of objected claim 4 and intervening claim 3, respectively.

Therefore, claim 1 has been amended to include material indicated as allowable by the Examiner.

**§ 103(a) Rejections**

The Examiner has rejected claims 16, 19 and 20 under § 103(a) as being unpatentable over Porat (US 6140740) in view of Radice (US 4633122) or Wilson (US 4728844). The Examiner has also rejected claims 17 and 18 under § 103(a) as being unpatentable over Porat (US 6140740) in view of Radice (US 4633122) or Wilson (US 4728844) in further view of Toda (US 6400065) or Itoh (US 4825116).

While continuing to traverse the Examiner's rejection, and without in any way prejudicing the patentability of the rejected claims, the Applicant has, in order to expedite the prosecution, chosen to amend independent claim 16 to include the limitations of rejected claim 17.

Amended claim 16 now includes the limitations that "said first electrode and said second electrode in combination subtending at said central axis an angle of not more than 90° " This limitation can only be learnt from U.S. Patent No. 6,392,330 to Zloter as indicated by the Examiner's comments to claims 14-15.

Therefore, as a terminal disclaimer (contemporaneously filed with the filing of this Official Action response) will limit the term of this application to terminate on the same date as U.S. Patent No. 6,392,330, amended claim 16 should be in condition for allowance by the Examiner.

**Doctrine of Double Patenting Rejection**

The Examiner has rejected claims 14 and 15 under the judicially created doctrine of double patenting over U.S. Patent No. 6,392,330. The Examiner's rejection is respectfully traversed.

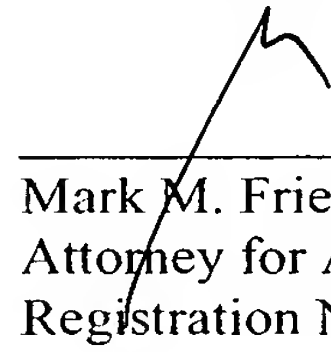
While continuing to traverse the Examiner's rejection, and without in any way prejudicing the patentability of the rejected claims, the Applicant has, in order to expedite the prosecution, chosen to amend independent claim 12 to include the

limitations of dependent claim 14 and to file a terminal disclaimer (contemporaneously with the filing of this Official Action response) limiting the term of this application to terminate on the same date as U.S. Patent No. 6,392,330.

Therefore, amended claim 12 includes material indicated as allowable by the Examiner in view of the filed terminal disclaimer.

In view of the above amendments and remarks it is respectfully submitted that independent claims 1, 12 and 16, and hence also dependent claims 2, 5-11, 13, 15 and 17-20, are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



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